

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1296 – SB 1334

April 5, 2017

**SUMMARY OF ORIGINAL BILL:** Requires the Tennessee Bureau of Investigation (TBI), beginning on January 1, 2018, to review the number of expunction petitions filed in 2017 for crimes committed prior to November 1, 1989, the number of petitions granted, and the number of petitions rejected. The TBI must report to the General Assembly in January of 2019.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (005184):** Deletes and rewrites the proposed legislation to broaden the offenses, committed prior to November 1, 1989, for which a person may have his or her records expunged.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Tennessee Code Annotated § 40-32-101(g)(1)(C) authorizes expungement for various felonies and misdemeanors committed prior to November 1, 1989. A condition of being an “eligible petitioner” is that the offense did not result in causing the victim to sustain a loss of \$25,000 or more.
- The proposed legislation increases the permissible loss to \$50,000.
- There is insufficient data on the number of persons that would be eligible for expungement under the proposed legislation.
- However, since the expungement law was changed by Public Chapter 1103 of the Public Acts of 2012, the number of expungements filed each year has been drastically less than estimated. Approximately one percent of original projections have been realized.
- Therefore, it is assumed that broadening the offenses for which expungements can be requested pursuant to this legislation will not significantly impact state or local expungement revenue.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/trm